

Notice of Allowability

Application No.

10/675,985

Examiner

Alex B. Toy

Applicant(s)

NISHIZAWA ET AL.

Art Unit

3739

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on February 13, 2006 and phone interview on April 17, 2006.
2. ☒ The allowed claim(s) is/are 3,5,7 and 9-12.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Response to Amendment

This Office Action is in response to applicant's amendment filed on February 13, 2006. All objections to the title, abstract, and specification are withdrawn. All rejections of claims 1-12 are withdrawn.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Leonid Thenor on April 17, 2006.

The application has been amended as follows:

Rewrite claim 3 as follows:

A manipulator having a plural number of joints therein, wherein at least one joint of the joints comprises:

two rotating members, disposed in opposing relation to each other;

a driving means for driving one of said rotating members to cause a rotating movement to the other rotating member;

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said driving means including a guiding means attached on a rotational shaft of each of said rotating members, and a first wire having at least one end thereof fixed to said guiding means; and

a means for keeping a distance between rotational centers of said two rotating members constant,

wherein said joint is a second or subsequent joint from a tip of the manipulator, and a second wire for driving a first joint located nearer to said tip portion is guided to said first joint on a side of the tip portion, passing through said guiding means of said second or subsequent joint, and

wherein each of the rotating members has a semicircular shape and is integrally formed with a tip of one of a base portion of the manipulator and a cylindrical portion of the manipulator.

Claim 5, line 10: replace "gripping" with – grip –.

Claim 7, line 2: insert – second – between "said" and "wire".

Claim 9, line 4: replace "gripping" with – grip –.

Claim 10, line 5: replace "gripping" with – grip –.

Claim 11, line 4: replace "gripping" with – grip –.

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Claim 12, lines 5, 7, and 8: replace "guide" with – guiding –.

Claim 12, line 10: replace "the grip portion" with – a grip portion of the manipulator –.

Allowable Subject Matter

Claims 3, 5, 7, and 9-12 are allowed.

Reasons for Allowance

The following is a statement of reasons for the indication of allowable subject matter:

Regarding independent claims 3, 11, and 12, Ohm (U.S. Pat. No. 5,710,870) discloses the claimed invention in general except for the rotating members with a semicircular shape. The prior art, however, does not disclose or suggest this semicircular construction in a forceps-type instrument. Regarding independent claim 5, Ohm and the prior art do not disclose or suggest a member for maintaining the length and phase of guiding wires used by the driver portion for driving the grip portion constant. Regarding independent claim 9, Ohm and the prior art do not disclose or suggest the pin and hole construction as claimed. Regarding independent claim 10, Ohm and the prior art do not disclose or suggest the screw means and hole construction as claimed.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex B. Toy whose telephone number is (571) 272-1953. The examiner can normally be reached on Monday through Friday, 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Linda C.M. Dvorak can be reached on (571) 272-4764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AT *AT*
4/17/06

Michael Peffley
MICHAEL PEFFLEY
PRIMARY EXAMINER